

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

WASEEM DAKER,

Plaintiff

VS.

JAMES DONALD, *et al.*,

Defendants

**NO. 5: 04-CV-337 (DF)**

**PROCEEDINGS UNDER 42 U.S.C. § 1983  
BEFORE THE U.S. MAGISTRATE JUDGE**

**RECOMMENDATION OF DISMISSAL**

On October 3, 2005, defendant WASEEM DAKER filed A MOTION TO DISMISS WITHOUT PREJUDICE. Tab #40. The defendants do not object to said motion. Tab #42.

Accordingly, IT IS RECOMMENDED that the plaintiff's MOTION TO DISMISS WITHOUT PREJUDICE (Tab #40) be **GRANTED**. Pursuant to 28 U.S.C. §636(b)(1) the parties may serve and file written objections to this RECOMMENDATION with the district judge to whom the case is assigned **WITHIN TEN (10) DAYS** after being served with a copy thereof.

The Clerk is directed to serve the plaintiff with a copy of this order by mailing it to him at the LAST ADDRESS provided by him.

SO RECOMMENDED, this 21<sup>st</sup> day of OCTOBER, 2005.



A handwritten signature in blue ink that reads "Claude W. Hicks, Jr."

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE